

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

Timothy Williams,
Movant,

VS.

UNITED STATES OF AMERICA,
Respondent,

2007
HACKETT, S
DISTRICT COURT
DISTRICT OF
MIDDLE

CASE NO.: 2:07CV742-MEF-SRW

(CR-05-216-F)

AFFIDAVIT

STATE OF: Louisiana

Parish of: Allen

I, Timothy Williams, state the following:


1. I am the Defendant/Movant in the above referenced case.
2. I was represented in this case by Attorney's Christine Freeman, Jennifer Hart, Kevin Butler, of the Federal Defender Office for the Middle District of Alabama. At sentencing I was represented by a private appointed Attorney, Tiffany McCord.
3. These attorneys provided me with ineffective assistance of counsel by:
 - A. They failed to investigate the facts and circumstances to contest the Federal Jurisdiction of the 841(A) offense that I was originally arrested by the Montgomery City Police
 - B. They failed to investigate and familiarize themselves with the police reports and documents including but not limited to the arrest warrants and search warrants.
 - C. They failed to interview any witnesses provided by or the government.
 - D. They failed to explain to the Defendant/Movant that count 2 of the indictment, 924(C), required as an element of the offense that the government prove beyond a reasonable doubt that the underlying drug trafficking offense was one that could be tried by a court of the United States.

AFFIDAVIT CONTINUED

- E. I never agreed with my Attorneys that marijuana trafficking charge was a Federal offense.
- F. I never conceded that the marijuana trafficking charge was a Federal offense.
- G. At my sentencing hearing my attorney Christine Freeman, answered for me when the District Court asked that question during plea colloquy which is a blatant violation of Rule 11 of the Federal Code of Criminal Procedure.
- H. Attorney Tiffany McCord failed to read the transcript of my change a plea hearing and was not aware that I had not been properly Boykinled and that the government's factual basis, which was provided my defense counsel, was deficient and that my guilty plea is Constitutionally invalid.
- I. I asked her several times to file an appeal in this but she steadfastly refused to do so and told me I had no appellate rights at all.

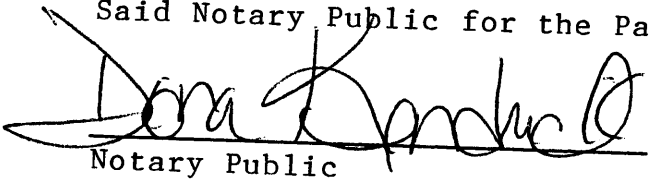
Dated this 10th Day of October, 2007.

Respectfully Submitted,


Timothy Williams
F.C.I. Oakdale # 11778-002
P.O. Box 5000
Oakdale, LA. 71463-5000

Sworn and subscribed to me on this
11 Day of October, 2007.

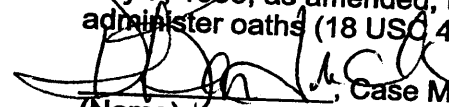
Said Notary Public for the Parish of Allen.

 10-11-07
Notary Public

My commission expires:

[stamp]

[seal]

Authorized by the Act of
July 7, 1955, as amended, to
administer oaths (18 USC 4004).

(Name) Case Manager
10-11-07

Monty Williams-11778-002

C.I. Oakdale

P.O. Box 5000

Oakdale, LA 71463

ALEXANDRIA LA 713

12 OCT 2007 PM 2 L



Clerk of the Court

Middle District of Alabama

Church Street

Suite B-100

Montgomery AL 36101

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